IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SIXTEENTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 16299 of 2004

Between:

B. Upendramma, W/o. B. Chandraiah,
R/o. 5-13, Manasa Nagar Colony, Gandhi Nagar Panchayat,
Suryapet Mandal, Nalgonda District.

..... PETITIONER

AND

1 The Union of India, Rep. by the Secretary, Ministry of Finance & Banking,
North Block, Central Secretariat, New Delhi.
2 I. Balasubramanyam, Authorised Officer,
Andhra Bank (Under order 3 of 2002) Zonal Office, Warangal.
3 The Manager, Andhra Bank, Police Station Road,
Suryapet, Nalgonda District.

4 Gutta Radha, W/o. Srinivas Rao,
R/o. 1-4-249/20, Suryapet, Nalgonda District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to pass order or orders by issuing a writ or direction more particularly one in the nature of a Writ of Mandamus or any other appropriate writ by declaring Sec.14 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, as unconstitutional ultra vires, unenforceable, invalid and against the principles of natural justice.

Counsel for the Petitioner : MR.R.RAVI KUMAR

Counsel for the Respondent No.1: MR.A.RAJASHEKAR REDDY (SC FOR CG)

Counsel for the respondent Nos. 2 and 3 : Mr. Nuty Ram Mohan Rao.

Counsel for the respondent No.4: None appeared.

The Court at the stage of admission made the following :

ORAL ORDER:

(Per Hon'ble The Chief Justice)

…..

Filing writ petition is totally misconceived. For the relief claimed in the writ petition, petitioner will have to take out appropriate proceedings in accordance with law in a competent Civil Court/Forum for remedy. Accordingly writ petition is dismissed. No costs.

_____

DEVINDER GUPTA. C.J.,

_____

C.V. RAMULU. J.,

Dated: 16.09.2004.

VRK.

To

1 The Secretary to Union of India,Ministry of Finance & Banking,
North Block, Central Secretariat, New Delhi.
2 Mr. I. Balasubramanyam, Authorised Officer,
Andhra Bank (Under order 3 of 2002) Zonal Office, Warangal.
3 The Manager, Andhra Bank, Police Station Road,
Suryapet, Nalgonda District.
4. Two CD copies.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE C.V. RAMULU.

W.P.NO. 16299 OF 2004.

-

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 16.09.2004.